

115TH CONGRESS
2D SESSION

S. 2961

AN ACT

To reauthorize subtitle A of the Victims of Child Abuse
Act of 1990.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Victims of Child Abuse
3 Act Reauthorization Act of 2018”.

4 **SEC. 2. REAUTHORIZATION.**

5 (a) FINDINGS.—Section 211 of the Victims of Child
6 Abuse Act of 1990 (34 U.S.C. 20301) is amended—

7 (1) in paragraph (1), by striking “2,000,000”
8 and inserting “3,300,000”;

9 (2) in paragraph (6)—

10 (A) by inserting “improve positive out-
11 comes for the child,” before “and increase”;
12 and

13 (B) by striking “; and” and inserting a
14 semicolon;

15 (3) in paragraph (7), by striking “could be du-
16 plicated in many jurisdictions throughout the coun-
17 try.” and inserting “have expanded dramatically
18 throughout the United States; and”;

19 (4) by adding at the end the following:

20 “(8) State chapters of children’s advocacy cen-
21 ter networks are needed to—

22 “(A) assist local communities in coordi-
23 nating their multidisciplinary child abuse inves-
24 tigation, prosecution, and intervention services;
25 and

1 “(B) provide oversight of, and training and
2 technical assistance in, the effective delivery of
3 evidence-informed programming.”.

4 (b) DEFINITIONS.—Section 212 of the Victims of
5 Child Abuse Act of 1990 (34 U.S.C. 20302) is amended—

6 (1) by striking paragraphs (3) and (6);

7 (2) by redesignating paragraphs (4), (5), (7),
8 (8), and (9) as paragraphs (3), (4), (5), (6), and
9 (7), respectively;

10 (3) in paragraph (6), as so redesignated, by
11 striking “and” at the end;

12 (4) in paragraph (7), as so redesignated, by
13 striking the period at the end and inserting “; and”;
14 and

15 (5) by adding at the end the following:

16 “(8) the term ‘State chapter’ means a member-
17 ship organization that provides technical assistance,
18 training, coordination, grant administration, over-
19 sight, and support to local children’s advocacy cen-
20 ters, multidisciplinary teams, and communities work-
21 ing to implement a multidisciplinary response to
22 child abuse in the provision of evidence-informed ini-
23 tiatives, including mental health counseling, forensic
24 interviewing, multidisciplinary team coordination,
25 and victim advocacy.”.

1 (c) REGIONAL CHILDREN’S ADVOCACY CENTERS.—

2 Section 213 of the Victims of Child Abuse Act of 1990

3 (34 U.S.C. 20303) is amended—

4 (1) in subsection (a)—

5 (A) in the matter preceding paragraph (1),

6 by striking “with the Director and”

7 (B) by striking paragraph (2);

8 (C) by redesignating paragraphs (3) and

9 (4) as paragraphs (2) and (3), respectively;

10 (D) in paragraph (2), as so redesignated,

11 by striking “and” at the end;

12 (E) in paragraph (3), as so redesignated—

13 (i) by inserting after “mental health

14 care professionals” the following: “, law

15 enforcement officers, child protective serv-

16 ice workers, forensic interviewers, prosecu-

17 tors, and victim advocates,”;

18 (ii) by striking “medical” each place

19 that term appears; and

20 (iii) by striking the period at the end

21 and inserting “; and”; and

22 (F) by adding at the end the following:

23 “(4) collaborate with State chapters to provide

24 training, technical assistance, coordination, and

25 oversight to—

1 “(A) local children’s advocacy centers; and

2 “(B) communities that want to develop

3 local children’s advocacy centers.”;

4 (2) in subsection (b)—

5 (A) in paragraph (1)—

6 (i) in the matter preceding subpara-
7 graph (A), by striking “, in coordination
8 with the Director,”;

9 (ii) in subparagraph (A), by inserting
10 “and” at the end;

11 (iii) in subparagraph (B), by striking
12 “the prevention, judicial handling, and
13 treatment of child abuse and neglect; and”
14 and inserting “multidisciplinary team in-
15 vestigation, trauma-informed interventions,
16 and evidence-informed treatment,”; and

17 (iv) by striking subparagraph (C); and
18 (B) in paragraph (2)—

19 (i) in subparagraph (A)—

20 (I) in the matter preceding clause
21 (i), by striking “communities” and in-
22 serting “communities, local children’s
23 advocacy centers, multidisciplinary
24 teams, and State chapters”;

1 (II) in clause (i), by inserting
2 “and expanding” after “developing”;

3 (III) by redesignating clauses (ii)
4 through (x) as clauses (iii) through
5 (xi), respectively;

6 (IV) by inserting after clause (i)
7 the following:

8 “(ii) in promoting the effective deliv-
9 ery of the evidence-informed Children’s Ad-
10 vocacy Model and the multidisciplinary re-
11 sponse to child abuse, including best prac-
12 tices in—

13 “(I) organizational support and
14 development;

15 “(II) programmatic evaluation;
16 and

17 “(III) financial oversight of Fed-
18 eral funding;”;

19 (V) in clause (iii), as so redesi-
20 gnated, by striking “a freestanding fa-
21 cility where interviews of and services
22 for abused children can be provided”
23 and inserting “child-friendly facilities
24 for the investigation of, assessment of,
25 and intervention in abuse”; and

1 (VI) in clause (iv), as so redesignated,
2 nated, by striking “multiple” and in-
3 serting “duplicative”; and

4 (ii) in subparagraph (B), by inserting
5 “and interested communities” after “advocacy
6 centers”;

7 (3) in subsection (c)—

8 (A) in paragraph (2)(C), by striking “re-
9 medial counseling to” and inserting “evidence-
10 informed services for”;

11 (B) in paragraph (3)(A)(ii), by striking
12 “multidisciplinary child abuse program” and in-
13 serting “children’s advocacy center”; and

14 (C) in paragraph (4)(B)—

15 (i) in the matter preceding clause (i),
16 by striking “, in coordination with the Di-
17 rector,”;

18 (ii) by striking clause (iii); and

19 (iii) by redesignating clauses (iv) and
20 (v) as clauses (iii) and (iv), respectively;

21 (4) in subsection (d)—

22 (A) in paragraph (1), by striking “, in co-
23 ordination with the Director,”;

1 (B) in paragraph (2), in the matter pre-
2 ceeding subparagraph (A), by striking “and the
3 Director”; and

4 (C) in paragraph (3), by striking “DIS-
5 CONTINUATION OF FUNDING.—” and all that
6 follows through “Upon discontinuation” and in-
7 serting the following: “DISCONTINUATION OF
8 FUNDING.—Upon discontinuation”; and
9 (5) by striking subsections (e) and (f).

10 (d) LOCAL CHILDREN’S ADVOCACY CENTERS.—Sec-
11 tion 214 of the Victims of Child Abuse Act of 1990 (34
12 U.S.C. 20304) is amended—

13 (1) by striking subsection (a) and inserting the
14 following:

15 “(a) IN GENERAL.—The Administrator, in coordina-
16 tion with the Director of the Office of Victims of Crime,
17 shall make grants to—

18 “(1) develop and enhance multidisciplinary
19 child abuse investigations, intervention, and prosecu-
20 tion; and

21 “(2) promote the effective delivery of the evi-
22 dence-informed Children’s Advocacy Model and the
23 multidisciplinary response to child abuse, including
24 best practices in programmatic evaluation and finan-
25 cial oversight of Federal funding.”;

1 (2) in subsection (b)—

2 (A) in the subsection heading, by inserting
3 “HUMAN TRAFFICKING AND” before “CHILD
4 PORNOGRAPHY”;

5 (B) by striking “with the Director and”;
6 and

7 (C) by inserting “human trafficking and”
8 before “child pornography”;

9 (3) in subsection (c)—

10 (A) in paragraph (1)—

11 (i) by striking “Director” and insert-
12 ing “Administrator”; and

13 (ii) by striking “this section” and in-
14 serting “subsections (a) and (b)”;

15 (B) in paragraph (2)—

16 (i) in subparagraph (A), by striking
17 “social service” and inserting “child pro-
18 tective service”;

19 (ii) in subparagraph (B), by striking
20 “the ‘counseling center’” and inserting “a
21 ‘children’s advocacy center’”;

22 (iii) in subparagraph (C), by striking
23 “sexual and serious physical abuse and ne-
24 glect cases to the counseling center” and
25 inserting “child abuse cases that meet des-

1 ignated referral criteria to the children’s
2 advocacy center”;

3 (iv) in subparagraph (D)—

4 (I) by striking “investigative”
5 and inserting “forensic”; and

6 (II) by striking “social service”
7 and inserting “child protective serv-
8 ice”;

9 (v) by striking subparagraph (E);

10 (vi) by redesignating subparagraphs
11 (F) through (J) as subparagraphs (E)
12 through (I), respectively;

13 (vii) in subparagraph (E), as so reded-
14 ignated, by striking “counseling center”
15 and inserting “children’s advocacy center
16 or an agency with which there is a linkage
17 agreement regarding the delivery of multi-
18 disciplinary child abuse investigation, pros-
19 ecution, and intervention services”;

20 (viii) in subparagraph (F), as so re-
21 designated, by striking “minimize the
22 number of interviews that a child victim
23 must attend” and inserting “eliminate du-
24 plicative forensic interviews with a child
25 victim”;

1 (ix) in subparagraph (G), as so rededesignated, by striking “multidisciplinary program” and inserting “children’s advocacy center”;

5 (x) in subparagraph (H), as so redesignated, by inserting “intervention and” before “judicial proceedings”; and

8 (xi) in subparagraph (I), as so redesignated, by striking “Director” and inserting “Administrator”;

11 (4) in subsection (d)—

12 (A) by striking “the Director” and inserting “the Administrator”; and

14 (B) by striking “both large and small States” and inserting “all States that are eligible for such grants, including large and small States,”; and

18 (5) by adding at the end the following:

19 “(f) GRANTS TO STATE CHAPTERS FOR ASSISTANCE
20 TO LOCAL CHILDREN’S ADVOCACY CENTERS.—In awarding grants under this section, the Administrator shall ensure that a portion of the grants is distributed to State chapters to enable State chapters to provide technical assistance, training, coordination, and oversight to other recipients of grants under this section in providing evidence-

1 informed initiatives, including mental health counseling,
2 forensic interviewing, multidisciplinary team coordination,
3 and victim advocacy.”.

4 (e) GRANTS FOR SPECIALIZED TECHNICAL ASSIST-
5 ANCE AND TRAINING PROGRAMS.—Section 214A of the
6 Victims of Child Abuse Act of 1990 (34 U.S.C. 20305)
7 is amended—

8 (1) in subsection (a), by striking “to attorneys”
9 and all that follows and inserting the following:
10 “to—

11 “(1) attorneys and other allied professionals in-
12 strumental to the criminal prosecution of child abuse
13 cases in State or Federal courts, for the purpose of
14 improving the quality of criminal prosecution of such
15 cases; and

16 “(2) child abuse professionals instrumental to
17 the protection of children, intervention in child abuse
18 cases, and treatment of victims of child abuse, for
19 the purpose of—

20 “(A) improving the quality of such protec-
21 tion, intervention, and treatment; and

22 “(B) promoting the effective delivery of the
23 evidence-informed Children’s Advocacy Model
24 and the multidisciplinary response to child
25 abuse, including best practices in programmatic

1 evaluation and financial oversight of Federal
2 funding.”;

3 (2) by striking subsection (b) and inserting the
4 following:

5 “(b) GRANTEE ORGANIZATIONS.—

6 “(1) PROSECUTORS.—An organization to which
7 a grant is made for specific training and technical
8 assistance for prosecutors under subsection (a)(1)
9 shall be one that has—

10 “(A) a broad representation of attorneys
11 who prosecute criminal cases in State courts;
12 and

13 “(B) demonstrated experience in providing
14 training and technical assistance for prosecu-
15 tors.

16 “(2) CHILD ABUSE PROFESSIONALS.—An orga-
17 nization to which a grant is made for specific train-
18 ing and technical assistance for child abuse profes-
19 sionals under subsection (a)(2) shall be one that
20 has—

21 “(A) a diverse portfolio of training and
22 technical resources for the diverse professionals
23 responding to child abuse, including a digital li-
24 brary to promote evidence-informed practice;
25 and

1 “(B) demonstrated experience in providing
2 training and technical assistance for child abuse
3 professionals, especially law enforcement offi-
4 cers, child protective service workers, prosecu-
5 tors, forensic interviewers, medical profes-
6 sionals, victim advocates, and mental health
7 professionals.”; and

8 (3) in subsection (c)(2), by inserting after
9 “shall require” the following: “, in the case of a
10 grant made under subsection (a)(1),”.

11 (f) AUTHORIZATION OF APPROPRIATIONS.—Section
12 214B of the Victims of Child Abuse Act of 1990 (34
13 U.S.C. 20306) is amended—

14 (1) in subsection (a), by striking “sections 213
15 and 214” and all that follows and inserting the fol-
16 lowing: “sections 213 and 214, \$16,000,000 for each
17 of fiscal years 2019 through 2023.”; and

18 (2) in subsection (b), by striking “section
19 214A” and all that follows and inserting the fol-
20 lowing: “section 214A, \$5,000,000 for each of fiscal
21 years 2019 through 2023.”.

22 (g) ACCOUNTABILITY.—Section 214C of the Victims
23 of Child Abuse Act of 1990 (34 U.S.C. 20307) is amend-
24 ed—

1 (1) by striking “All grants awarded” and in-
2 serting the following:

3 “(a) IN GENERAL.—All grants awarded”; and

4 (2) by adding at the end the following:

5 “(b) REPORTING.—Not later than March 1 of each
6 year, the Attorney General shall submit to the Committee
7 on the Judiciary of the Senate and the Committee on the
8 Judiciary of the House of Representatives a report that—

9 “(1) summarizes the efforts of the Adminis-
10 trator to monitor and evaluate the regional chil-
11 dren’s advocacy program activities under section
12 213(d);

13 “(2) describes—

14 “(A) the method by which amounts are al-
15 located to grantees and subgrantees under this
16 subtitle, including to local children’s advocacy
17 centers, State chapters, and regional children’s
18 advocacy program centers; and

19 “(B) steps the Attorney General has taken
20 to minimize duplication and overlap in the
21 awarding of amounts under this subtitle; and

22 “(3) analyzes the extent to which both rural
23 and urban populations are served under the regional
24 children’s advocacy program.”.

1 (h) TECHNICAL AND CONFORMING AMENDMENTS
2 RELATING TO TITLE 34, UNITED STATES CODE.—The
3 Victims of Child Abuse Act of 1990 (34 U.S.C. 20301 et
4 seq.) is amended—

5 (1) in section 212(1) (34 U.S.C. 20302), by
6 striking “(42 U.S.C. 5611(b))” and inserting “(34
7 U.S.C. 11111(b))”;

8 (2) in section 214(c)(1) (34 U.S.C.
9 20304(c)(1)), by striking “(42 U.S.C. 5665 et seq.)”
10 and inserting “(34 U.S.C. 11183, 11186)”;

11 (3) in section 214A(c)(1) (34 U.S.C.
12 20305(c)(1)), by striking “(42 U.S.C. 5665 et seq.)”
13 and inserting “(34 U.S.C. 11183, 11186)”;

14 (4) in section 217(c)(1) (34 U.S.C.
15 20323(c)(1)), by striking “(42 U.S.C. 5665 et seq.)”
16 and inserting “(34 U.S.C. 11183, 11186)”;

17 (5) in section 223(c) (34 U.S.C. 20333(c)), by
18 striking “(42 U.S.C. 5665 et seq.)” and inserting
19 “(34 U.S.C. 11183, 11186)”.

20 **SEC. 3. IMMUNITY PROTECTIONS FOR REPORTERS OF**
21 **CHILD ABUSE.**

22 (a) STATE PLANS.—Section 106(b)(2)(B)(vii) of the
23 Child Abuse Prevention and Treatment Act (42 U.S.C.
24 5106a(b)(2)(B)(vii)) is amended to read as follows:

1 “(vii) provisions for immunity from
2 civil or criminal liability under State and
3 local laws and regulations for individuals
4 making good faith reports of suspected or
5 known instances of child abuse or neglect,
6 or who otherwise provide information or
7 assistance, including medical evaluations or
8 consultations, in connection with a report,
9 investigation, or legal intervention pursu-
10 ant to a good faith report of child abuse or
11 neglect;”.

12 (b) FEDERAL IMMUNITY.—

13 (1) IN GENERAL.—Notwithstanding any other
14 provision of law, any individual making a good faith
15 report to appropriate authorities of a suspected or
16 known instance of child abuse or neglect, or who
17 otherwise, in good faith, provides information or as-
18 sistance, including medical evaluations or consulta-
19 tions, in connection with a report, investigation, or
20 legal intervention pursuant to a good faith report of
21 child abuse or neglect shall not be subject to civil li-
22 ability or criminal prosecution, under any Federal
23 law, rising from making such report or providing
24 such information or assistance.

1 (2) PRESUMPTION OF GOOD FAITH.—In a Fed-
2 eral civil action or criminal prosecution brought
3 against a person based on the person’s reporting a
4 suspected or known instance of child abuse or ne-
5 glect, or providing information or assistance with re-
6 spect to such a report, as described in paragraph
7 (1), there shall be a presumption that the person
8 acted in good faith.

9 (3) COSTS.—If the defendant prevails in a Fed-
10 eral civil action described in paragraph (2), the
11 court may award costs and reasonable attorney’s
12 fees incurred by the defendant.

Passed the Senate December 11, 2018.

Attest:

Secretary.

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To reauthorize subtitle A of the Victims of Child Abuse Act of 1990.